

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
11/13/2002

10/28/2002

CLERK OF THE COURT
FORM D000C

HONORABLE DAVID M. TALAMANTE

A. Farnsworth
Deputy

FN 2001-092162

IN RE THE MARRIAGE OF
DONNA KENT

FILED: _____

MICHAEL G DELGADO

AND

MICHAEL DAN KENT

MICHAEL DAN KENT
18 N EDMONT ST
MESA AZ 85203-0000

MINUTE ENTRY

The Court having received and reviewed Petitioner's Motion to Set and Certificate of Readiness,

IT IS ORDERED setting a Comprehensive Pretrial Conference on **December 10, 2002 at 8:45 a.m. (15 minutes allowed)** in this Division, 222 E. Javelina, Mesa, Arizona, Courtroom 207. Both parties, together with their counsel, if represented, shall appear in person, and be prepared to discuss the management of this case including the matters set forth in Rule 16(b), A.R.C.P. COUNSEL ARE ADVISED THAT THEY MAY APPEAR TELEPHONICALLY AT THE PRETRIAL CONFERENCE AND WAIVE THE APPEARANCE OF THEIR CLIENT IF A PRETRIAL CONFERENCE STATEMENT IS SUBMITTED TO THE COURT CONSISTENT WITH THE REQUIREMENTS OF THIS MINUTE ENTRY. COUNSEL SHALL INDICATE IN THE PRETRIAL CONFERENCE STATEMENT THEIR INTENT TO APPEAR TELEPHONICALLY AND TO WAIVE THE APPEARANCE OF THEIR CLIENT AT THIS PROCEEDING. Any party who permanently resides out of the State of Arizona may appear telephonically at this

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conference only by calling the Court (602) 506-6251 at the time of the Conference. IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED.

Parent Education Program.

IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed an approved Parent Education Program in accordance with A.R.S. Section 25-351 et seq. prior to the Comprehensive Pretrial Conference, and file proof thereof prior to or at the time of Conference. IF NEITHER PARTY HAS COMPLETED THE PARENT EDUCATION PROGRAM PRIOR TO THE CPTC, THE COURT MAY VACATE THE CPTC AND REQUIRE COMPLIANCE PRIOR TO PROCEEDING.

Pre-Trial Conference Statement.

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a Joint Pretrial Conference Statement at least three days before the CPTC. The Joint Pre-Trial Conference Statement shall state:

1. The details of all agreements reached by the parties on all substantive and procedural issues.

2. The date each parent filed with the court proof of compliance with the Parental Education Program requirements of A.R.S. Section 25-351 et seq., or a declaration that each parent who has not completed such requirements will file such proof of compliance prior to or at the time of the CPTC.

3. To assist the Court in determining the reasonableness of each party's positions in any subsequent requests for attorney's fees pursuant to A.R.S. Section 25-324 and 12-349, each party shall set forth a brief statement of his or her position on each remaining contested issue. This statement shall

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not include the reasons why the party is taking the position, but simply the position on each contested issue.

4. Specific proposals by the party on how the remaining contested issues can be resolved or narrowed without trial including requests for testing, evaluation, or appraisal, and the utilization of any appropriate Alternative Dispute Resolution (ADR) procedures.

5. All remaining discovery and disclosure which needs to be completed prior to trial.

6. An estimate of the length of trial needed, and if witnesses other than the parties will testify, who will testify, the estimated time of trial needed for each witness, and a brief summary of the testimony expected from each witness.

IT IS FURTHER ORDERED that each party shall attach to the Joint Pretrial Conference Statement:

1. An updated affidavit of current financial circumstances pursuant to Rule 6.7, Local Rules of Maricopa County, unless one was filed within the last 12 months; and

2. A current and detailed inventory and appraisal of the property and assets of the parties, unless one was filed within the last 12 months; and

3. If there are disputed custody and child support issues, the Joint Pretrial Conference Statement shall include a Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines, unless one was filed within the last 12 months.

IF EITHER PARTY DOES NOT TIMELY FILE A JOINT PRETRIAL CONFERENCE STATEMENT, FAILS TO PROVIDE A POSITION STATEMENT ON A CONTESTED ISSUE, OR FAILS TO OBEY THIS PRETRIAL ORDER TO COMPLETE

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THE PARENT EDUCATION PROGRAM, THE COURT MAY IMPOSE ANY AND ALL
SANCTIONS ALLOWED BY RULE 6.2(e), LOCAL RULES OF MARICOPA COUNTY.

In order to facilitate any future record review or written transcription, PARTIES/COUNSEL MUST OBTAIN A COPY OF THE PROCEEDINGS for their use at the time of hearing. Parties/ counsel who wish to have the proceedings taped for this purpose, must provide to the bailiff a blank, unused videotape at least fifteen (15) minutes prior to the hearing. A specific type of videotape must be utilized for this system in order to ensure the most reliable record of the proceedings: Maxell GX-Silver T-120 (VHS) or equivalent. If the proceedings are scheduled for more than one (1) day, a new tape must be provided to the Bailiff each day. For the parties' convenience, Sunrise Cafeteria, located on the First Floor of the Southeast Regional Public Service Facility, sells the appropriate videotape, or parties/ counsel may obtain the tapes ahead of time from another provider.

NOTICE: A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.